

Serial No. 10/776,068
60,130-1995 (04MRA0062)

IN THE DRAWINGS:

Figure 3 has been amended to correct a reference numeral duplication.

Reference numeral 38 is utilized to identify the locking pin. The Examiner's contention that stuck pin and pinch pin require different numerals. Applicant respectfully suggests that the Examiner's argument that the stuck pin and the pinch pin require different reference numerals is incorrect as the locking pin is the same locking pin simply under different conditions as described in the specification.

With regard to the piping shown in Figures 3 and 5A-5B, Applicant is simply schematically illustrating that the pneumatic actuator is connected into the pneumatic system as illustrated in Figure 6. Furthermore, Figure 6 illustrates the pilot port conduit as reference numeral 64.

Serial No. 10/776,068
60,130-1995 (04MRA0062)

REMARKS

Applicant wishes to thank the Examiner for the detailed remarks. Claims 1, 9, 11, and 12 have been amended. Claims 10 and 13 have been cancelled. New claims 14-17 are presented. Accordingly, claims 1-9, 11, 12, and 14-17 are pending.

Claims 9-13 were rejected under 35 U.S.C. 112, second paragraph. Claims 10 and 13 have been cancelled while claims 11 and 12 were amended. Accordingly, Applicant respectfully submits that the amended claims are properly allowable under 35 U.S.C. 112.

Applicant notes the provisional obviousness-type double patenting rejection. Applicant defers response until the claims have reached a more final form. Upon which Applicant is willing to submit a Terminal Disclaimer in compliance with 37 CFR 1.321(c) to overcome the provisional obviousness-type double patenting rejection if required at that time.

Claims 1-13 were rejected under 35 U.S.C. §102(b) as being anticipated by *Schueman* (5531467). Applicant respectfully traverses this rejection. Applicant has amended claim 1 and claim 9 to specifically recite a pin spring and a link spring and an associated spring bias relationship therebetween. *Schueman* discloses only that each pin 74 is biased toward its extended position by means of a spring 84 disposed between the mounting plate 76 and a radial flange 86 around the pin towards its outer end. [Col. 4, lines. 42-46.] *Schueman* fails to disclose or suggest the spring relationship as recited in Applicant's amended claims. The amended claims are therefore properly allowable.

Claims 1-13 were rejected under 35 U.S.C. §102(e) as being anticipated by *Saieg et al.* (US2005/0056477). Applicant respectfully traverses this rejection. *Saieg* claims a filing date of September 17, 2003. Applicant submits herewith a declaration pursuant to 37 CFR §1.131 evidencing that the claimed invention was conceived prior to September 17, 2003, which is the effective 102(e) date for *Saieg*. Accordingly, the *Saieg* reference does not qualify as prior art.

Serial No. 10/776,068
60,130-1995 (04MRA0062)

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully submitted,



David L. Wisz, Reg. No. 46,350
Carlson, Gaskey & Olds
400 West Maple, Suite 350
Birmingham, Michigan 48009
(248) 988-8360

Dated: June 21, 2006

N:\Clients\MERITOR\Files 1501 to 2000\IP01995\PATENT\Meritor1995 Amendment 3 21 06.doc